

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE
STATEMENT**

Docket Number:
1662/62502

Application Number
10/809,754

Filing Date
March 25, 2004

Examiner
Not Yet Assigned

Art Unit
Not Yet Assigned

Invention Title
**A Process For Preparing A Pharmaceutical Active
Ingredient With High Specific Surface Area**

Inventors
Guy Samburski

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
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Date: 8/4/04

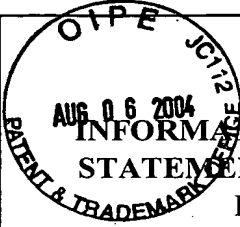
Signature: *Agren*

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
2. In accordance with the Official Gazette of August 5, 2003, which stated that the United States Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, copies of each of the cited U.S. patents and U.S. patent application publications are not being provided.
3. A copy of each publication or other information listed on the modified PTO form 1449 is enclosed.

4. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due, the Commissioner is authorized to charge Deposit Account No. 11-0600 for such fees. A copy of this communication is enclosed for charging purposes.

Dated: Aug 4, 2004 By: Payam Moradian
Payam Moradian (Reg. No. 52,048)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646

 INFORMATION DISCLOSURE STATEMENT BY APPLICANT PTO-1449	ATTY. DOCKET NO. 1662/62502	U.S. SERIAL NO. 10/809,754
	APPLICANT(S) Guy Samburski	
	FILING DATE March 25, 2004	GROUP Not Yet Assigned

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	USP 4,412,986	November 1, 1983	Kawata, et al.			
	USP 4,665,081	May 12, 1987	Doi, et al.			
	USP 4,880,623	November 14, 1989	Piergiorgio, et al.			
	USP 4,882,144	November 21, 1989	Hegasy			
	USP 4,904,699	February 27, 1990	Bauer			
	USP 4,933,186	June 12, 1990	Ohm, et al.			
	USP 4,954,346	September 4, 1990	Sparta			

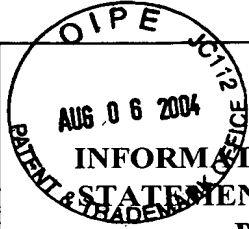
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		U.S. Publication No. 2003/0091626, Publication Date: May 15, 2004, T. Katsuta
		Lantz, Russel J. Jr., Size Reduction, in Lachman Leon & Lieberman Herbert A. Pharmaceutical dose forms, Vol.2, P. 77-152
		Bayer AG v. Biovail Co., 279, F.3d 1340 (Fed.Cir. 2002)
		Shekunov. B.Y. et al. "Physical properties of supercritically-processed and micronised powders for respiratory drug delivery" in KONA No.20, 2002
		Ansel et al., Pharmaceutical Dosage Forms and Drug Delivery Systems, 7 th Edition, P. 232

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE
	USP 4,966,772	October 30, 1990	Ohm, et al.			
	USP 5,229,116	July 20, 1993	Edgar, et al.			
	USP 5,543,099	August 6, 1996	Zhang, et al.			
	USP 4,582,840	April 15, 1986	Garthoff, et al.			
	USP 4,690,935	September 1, 1987	Taylor, et al.			
	USP 4,728,660	March 1, 1988	Haynes, et al.			
	USP 4,851,404	July 25, 1989	Ohnishi			
	USP 4,918,076	April 17, 1990	Opitz, et al.			
	USP 4,978,533	December 18, 1990	Dugger			
	USP 5,053,419	October 1, 1991	Lipton			
	USP 5,071,642	December 10, 1991	Lahr, et al.			
	USP 5,124,340	June 23, 1992	Jaffe, et al.			
	USP 5,145,859	September 8, 1992	Fleischmann			
	USP 4,992,474	February 12, 1991	Skidmore, et al.			
	USP 5,264,446	November 23, 1993	Hegasy, et al.			

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